

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA

Plaintiff,
vs.

ALAN MICHAEL BARTLETT,

Defendant.

3:13-cr-044-RRB-JDR

**ORDER RE
PSYCHOLOGICAL/PSYCHIATRIC
EVALUATION OF
DEFENDANT
(1) TO DETERMINE
COMPETENCY;
AND
(2) TO DETERMINE
DEFENDANT'S MENTAL STATE
AT THE TIME OF THE ALLEGED
OFFENSES**

(Docket No. 35)

Pursuant to the provisions of 18 U.S.C. § 4241, the court hereby orders that defendant ALAN MICHAEL BARTLETT submit to psychological/psychiatric examination (1) to determine the mental competency of the defendant.

This court finds that defense counsel's affidavit concerning attempts to confer with his client concerning trial preparation and defendant's conduct at pretrial proceedings provide reasonable cause to believe that defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense.

Accordingly, the court hereby directs that a psychological/psychiatric evaluation be conducted pursuant to the provisions of 18 U.S.C. § 4241(a) and (b), with a report filed under seal with the court (with copies provided to counsel of record) pursuant to the provisions of 18 U.S.C. § 4247(b) and (c).

If requested by the examiner, defendant, through his counsel, shall forward to the examiner copies of any and all available hospital, medical, psychological, and psychiatric records. Defendant shall execute all consent forms and medical release forms necessary for the records to be obtained, including releases for all juvenile court records. If required by the examiner, the government, through the United States Attorney, shall submit to the examiner copies of available pretrial services reports and applicable case-related discovery materials, excluding child pornography, and identify to defense counsel the materials provided to the examiner.

Pursuant to the Speedy Trial Act provisions of Title 18, United States Code, Section 3161(h)(1)(A), the time period of commitment necessary to transport defendant to a suitable facility and evaluate defendant shall be excluded in computing the time within which the trial of any such offense must commence.

THEREFORE, IT IS HEREBY ORDERED that the defendant ALAN MICHAEL BARTLETT shall submit to a psychological/psychiatric examination to be conducted by a qualified Bureau of Prisons professional. *Defendant's examination*

to commence on his day of arrival at the Bureau of Prisons. Notwithstanding any reasonable extension by the Bureau of Prisons, a status report shall be filed *under seal* with the court on or before **August 14, 2013**.

IT IS FURTHER ORDERED that defendant be transported to the Federal Bureau of Prisons, Sea-Tac forthwith. In light of possible transportation scheduling through the U.S. Marshal, the court recommends that a commercial flight be instituted for transportation of the defendant for purposes of this examination(s). Upon completion of the examination(s) the U.S. Marshal shall transport defendant back to Anchorage with appropriate notification to the court

IT IS SO ORDERED.

DATED this 8th day of July, 2013, at Anchorage, Alaska.

/s/ John D. Roberts
JOHN D. ROBERTS
United States Magistrate Judge